

## 2. Introduction

### *A. Statement of Purpose*

The purpose of this plan is to describe those features of Mashpee's landscape and environment whose protection is critical to the ecological integrity of our community and to its vision of itself, to assess our needs and desires for outdoor recreational facilities and programs, to inventory our current protected lands and recreational resources, to identify where that inventory falls short of meeting our needs, and to outline a course of action toward meeting those needs.

Since preparing its first Conservation Plan, Mashpee has had both one of the fastest housing and population growth rates in Massachusetts and one of its most active programs of land preservation. Our year-round population has increased from less than 3000 to over 15,000, with more than 30,000 residents in the summer. Meanwhile, 4256.06 acres have been preserved as open space available for public use with the assistance of the Massachusetts Self-Help Land Acquisition Program, the federal Land & Water Conservation Fund, The Trustees of Reservations, The Nature Conservancy, the Trust for Public Land, the Orenda Wildlife Land Trust, the Mass. Division of Fisheries and Wildlife, the Mass. Department of Conservation & Recreation, the U.S. Fish and Wildlife Service and other agencies and groups. 2296.33 acres of public conservation lands are held by the Town, along with 67.48 acres held by the Town as parks, beaches or town landings. An additional 183.36 acres are owned by the Mashpee Water District. The US Fish & Wildlife Service owns 265.93 acres as part of the Mashpee National Wildlife Refuge, while state agencies hold another 1169.90 acres of open space lands.

Another 1330.63 acres have been set aside as open space through cluster subdivisions and other zoning mechanisms, 63.94 acres under conservation restrictions and an additional 102.44 acres under Chapter 61 current use tax provisions on private land. Altogether, 5935.53 acres have been set aside, bringing total protected open space in Mashpee to about 39.85% of our total land area. The Massachusetts Military Reservation also includes 1197.02 acres in Mashpee, with another 227.75 acres of off-base safety zones either owned by the federal government or held as easements on private land (not including such easements on Town or land trust conservation lands), for a total of 9.57% of the town's land area.

While the amount of land "preserved" is impressive, it must be viewed in the context of an overall reduction of natural areas in the face of the most rapid real estate development of any town in the Commonwealth in recent decades. As far as our wildlife and environment are concerned, all trends have been negative, since "preservation" doesn't actually create new habitat, but only offers a promise that certain portions of existing habitat won't be destroyed in the future. We are, in effect, fighting a "rear guard action" in a losing battle.

However, there are certain positive developments. The real estate development bubble of the 1980s burst, and housing construction, after declining drastically in the early 90s, rose again, but to more reasonable historic levels. The creation of the Cape Cod Commission provided stronger controls on growth as well as adding a new tool for open space preservation through mandatory open space requirements for Developments of Regional Impact (35 acres to date). The Town has

established good relationships with federal and state agencies which have led to a number of significant state purchases of open space land as well as to the creation of the Mashpee National Wildlife Refuge in Mashpee and Falmouth. That project reflects cooperative efforts with our neighboring towns, as does the joint purchase and ownership, by Mashpee and Barnstable, of the Santuit Pond Preserve (186 acres in Mashpee, 80+ acres in Barnstable). The latter was purchased subject to a Conservation Restriction by the Mass. Division of Fisheries & Wildlife and is jointly managed by the Division and the two Towns. A similar cooperative arrangement was made between the Town, the Division and the Orenda Wildlife Land Trust for the purchase of the Dawson property on the Quashnet River. Due to the diminished land purchase resources available, such cooperative ventures are increasingly important, so pointing out opportunities for such projects is an important purpose of this document.

Finally, the community, including the business community both in Mashpee and Cape-wide, has come to recognize the significant value of preserved open spaces to our tourism and retirement-based economy. The resulting level of understanding and cooperation between "business" and "environmental" groups, represented Cape-wide by the APCC Cape Cod Business Roundtable, which includes both municipal and developer representatives from Mashpee, bodes well for Mashpee and the Cape. It is hoped that this document will provide background and justification for such cooperative open space preservation efforts.

## ***B. Planning Process and Public Participation***

This update of Mashpee's open space plan has drawn from a variety of sources over a period of more than twenty years. During that period, the Town has gone through two major planning efforts, has bought extensive conservation lands, has lived through a tremendous real estate development boom, has established a National Wildlife Refuge and has participated in the development of a Cape-wide regulatory system and trail system. We have also adopted the Cape Cod Land Bank, under which \$13.5 Million was voted to purchase over 500 acres, and then switched in 2006 to the Community Preservation Act. As a result, Mashpee has emerged with a well-defined vision of the role of preserved open space in our community's current character and future hopes.

The work that led to this plan effectively began in the summer of 1985 on two levels. Extensive inventory work was done on the town's natural resources by Town Planner Thomas Fudala with the assistance of two interns, Paul Schumacher and Caroline Woodwell, funded by a grant from the Cape Cod Conservation District. At the same time, the "Committee on Mashpee's Goals and Priorities," consisting of 57 representative of all major Town agencies, homeowners' associations, interest groups and developers, adopted goals and policies for the Town regarding open space, agriculture, parks and recreation, fish and wildlife, historic preservation and waterways, in addition to other issues.

The committee also adopted a town master plan map and an open space "sketch plan" which served as the basis for an interim "Open Space Conservation & Recreation Plan" map adopted by the Conservation Commission in December, 1985. Although not formally submitted to the state as a revision of our 1983 Open Space Plan, the map served until 1996 as the basis of the Town's open space preservation efforts.

Those efforts, which followed up on the Self-Help-assisted Town acquisition of the John's Pond Park Conservation Area and Childs River Conservation Area in 1983-84 and the state's purchase of South Cape Beach State Park in 1983, included a multi-phase acquisition of the now-432 acre Mashpee River Woodlands Conservation Area, the protection of over 449 acres in the South Mashpee Pine Barrens by the Town and the state's Division of Fisheries and Wildlife (DFW), over 546 acres protected by the Town and State in the Quashnet River area (adjacent to another 133+ acres of Water District land and 64 acres of Falmouth Rod & Gun Club land subject to a conservation restriction) and the creation of numerous smaller Town and State conservation areas.

The Town's protection efforts have been based on a cooperative approach coordinated by the Planning Department and involving the Selectmen, Conservation Commission and Planning Board, the Commonwealth's EOE, DFW, DCR, Natural Heritage Program and Waquoit Bay National Estuarine Research Reserve, The Trustees of Reservations, The Nature Conservancy, the Trust for Public Land, the Compact of Cape Cod Conservation Trusts, the Cape Cod Commission, the Mashpee Land Conservation Trust, the Orenda Wildlife Land Trust, the Wampanoag Tribal Council, Trout Unlimited, our State Representative and State Senator, real estate developers and other individuals.

The culmination of this cooperative approach was the formulation of a unique multi-owner model for a new Mashpee National Wildlife Refuge, officially established on April 19, 1995. Within the Refuge's 5,871 acres in Mashpee and Falmouth, land acquisition and ownership are now coordinated between many of the above-noted agencies, joined by the U.S. Fish & Wildlife Service, the Mashpee Wampanoag Indian Tribal Council, the Town of Falmouth and the Falmouth Rod & Gun Club, under the terms of a Memorandum of Understanding between the parties ("partners").

The Refuge project, which was conceived by Selectman George Costa and greatly assisted by former Congressman Gerry Studds and current Congressman William Delahunt and his staff, is one of five key elements which define the Town's current open space protection plan. A second is the 20+ year effort to preserve the Mashpee River Corridor. To date, more than 755 acres have been protected along the river by the Town, The Trustees of Reservations, the Orenda Wildlife Land Trust and Mass. DFW, through donations by Mr. Earle Marsters and Mr. Herbert Stenberg, and through open space restrictions on portions of condominium developments and cluster subdivisions.

The third element is the establishment of a network of recreational trails throughout the Town that will connect with other Cape towns under the aegis of the "Cape Cod Pathways" project undertaken by Barnstable County. In addition, the partially-completed "Cross-Cape Trail," a joint Mashpee-Sandwich project to create a walking trail from Sandy Neck on Cape Cod Bay to South Cape Beach on Vineyard Sound, is proposed to serve as a backbone of Mashpee's trail system and the "Pathways" network.

The fourth and fifth key elements defining our open space plan are protection of public water supply wells and protection of water quality in our freshwater ponds and coastal embayments. These are the result of the intense level of development in the Town, the degradation of water quality in our surface waters and residents' concerns both for public health and the health of our fish and shellfish resources. The Town's involvement in, and approach to, all of these key elements has meant that the open space protection portion of this plan has essentially "written itself."

Public interest in all of these key elements has been intense and was reflected in the results of a public opinion survey undertaken by the Town in May and June of 1992, in a series of "Issues Forums" held in August and September of 1992 to kick off the Town's development of a comprehensive plan under the provisions of the Cape Cod Commission Act, and in the committee deliberations and public hearings (January and February, 1995) held before the adoption of the Town's Goals & Objectives for Open Space, Recreation and Agriculture, Wetlands, Wildlife and Plant Habitat, Water Resources and Coastal Resources. Those Goals and Objectives were formally endorsed by the Town's Leisure Services Advisory Council, Conservation Commission, Coastal Resource Management Committee, Water District Commissioners and Board of Health and were adopted by the Planning Board on December 6, 1995. The adopted goals and objectives are a key element of this plan.

The Planning Department took the lead in drafting the plan's text, working with an open space planning committee which included the Conservation Agent and Leisure Services Director, with assistance from the Operations Manager of the Mashpee Water District, the Shellfish Warden, Herring Warden, Harbormaster and the staff of the Cape Cod Commission. The draft of the

1996 open space plan was presented at public meetings held by the Planning Board on May 15, 1996 and the Conservation Commission on May 16 and 30, 1996. Endorsements were received from both the Planning Board and the Conservation Commission, as well as the Cape Cod Commission. At its meeting on June 3, 1996, the Board of Selectmen voted to endorse the plan and formally submit it for approval to the Massachusetts Division of Conservation Services.

Due to changes in the status of certain lands through purchases by the Town, the Fish & Wildlife Service and others, or losses to developers or others of lands which were thought to be “safe” from development in 1996, and in order to make the plan consistent with the recommendations of the Town’s Comprehensive Plan, adopted under the provisions of the Cape Cod Commission Act by the May 4, 1998 Annual Town Meeting, an update of this plan was approved by the Conservation Commission on May 28, 1998 and certified by the Mass. Division of Conservation Services in September 1998.

For similar reasons, as well as the expiration of DCR certification, the coming and going of the Cape Cod Land Bank and the overwhelming decision of Town Meeting to adopt the Community Preservation Act, this Plan update was again undertaken by the Planning Department with the assistance of the Conservation Agent and Leisure Services Director, with the Conservation Commission, Planning Board and Leisure Services Advisory Committee serving as the Open Space and Recreation Planning Committee for the project.

The draft of this Plan update was presented at public meetings held by the Planning Board on May 7, 2008 and the Conservation Commission on May 15, and July 10, 2008. Endorsements were received from both the Planning Board and the Conservation Commission, which voted on July 10 to submit the Plan to the Massachusetts Division of Conservation Services (DCS).

Subsequent to submission to DCS on July 11, the submitted draft was reviewed by the Cape Cod Commission, which endorsed the plan by letter from the Commission’s Natural Resources Specialist dated August 21, 2008. Based on certain inconsistencies found by staff between the Action Plan text and map, and on further review by the Conservation Commission and Planning Board, the Chapter 9 5-Year Action Plan and the Action Plan Map were amended. The revised plan was endorsed by the Conservation Commission and Planning Board by letters dated August 13 and August 25, 2008. The draft was then submitted to the Board of Selectmen, which reviewed the Plan at its September 8 and September 22, 2008 meetings and unanimously voted to endorse the Plan on the latter date, as reflected by letter from the Board’s Chairman dated October 1, 2008.